

IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF UTAH
CENTRAL DIVISION

DENNIS R. FRANKE,
Plaintiff,

v.

ARUP LABORATORIES,
Defendant.

Case No. 2:07-CV-73-DAK

ORDER

Before the court are two motions filed by Plaintiff.
(Docket Entries #8, 18.)

The first motion is a motion requesting "a Legal Ruling requiring the Federal EEOC or other Federal agency capable of completing an investigation into the matters of Discrimination and other illegal actions described by EEOC Case Number 540200603882 and the filings in the current Federal Court Case directed against Plaintiff while employed at Defendant ARUP Laboratories et al and issuing a finding in the matter to the Court to serve as an impartial basis for future Court proceedings and rulings." (Docket Entry #8.) In this eight page motion, Plaintiff explains his case to the court, including a detailed factual summary of the events connected to Plaintiff's claims.

Having carefully reviewed Plaintiff's motion, **IT IS HEREBY ORDERED** that Plaintiff's motion (**Docket Entry #8**) is **DENIED**.

Plaintiff's motion is a request for the court to make dispositive findings and rulings. Such a request is inappropriate at this early stage of the case when Defendant has not even filed an answer with the court.

The second motion before the court is a request from Plaintiff to view a sealed document Defendant lodged with the court on September 24, 2007. (Docket Entry #18.) The document Plaintiff appears to request is an August 22, 2007 letter Defendant submitted under seal. (Docket Entry #16.) In Defendant's response to Plaintiff's motion, Defendant produced a copy of a letter sent to Plaintiff on December 14, 2007, explaining that the sealed document was a letter sent to the court, that the same letter was, at the time, also sent to Plaintiff, and that Defendant was again sending a copy of the sealed document, with the December 14, 2007 letter, to Plaintiff. (Docket Entry #19, Exhibit A.) In addition, in Defendant's response to Plaintiff's motion, Defendant again attached the August 22, 2007 letter. (Docket Entry #19, Exhibit A.) As a result, Plaintiff has now had the opportunity to view the

requested document on at least three separate occasions.
Consequently, **IT IS HEREBY ORDERED** that Plaintiff's motion
(**Docket Entry #18**) is **DENIED AS MOOT**.

So ordered.

DATED this 26th day of February, 2008.

BY THE COURT:

A handwritten signature in blue ink, appearing to read 'Samuel Alba', is written above a horizontal line.

SAMUEL ALBA
United States Chief Magistrate Judge